

Waukesha County Criminal Justice Collaborating Council
Executive Committee
Minutes of March 10, 2014

Judge Carter called the meeting to order at 8:36 a.m.

Committee Members Present: Judge Lloyd Carter (chair), Paul Decker, Brad Schimel and Antwayne Robertson **Absent:** Sam Benedict and Dan Vrakas.

Also Present: Rebecca Luczaj, Karen Phillips, Joan Sternweis, Ron Frea, Mike Neimon, and Eric Severson.

Approve Minutes from January 13, 2014 Meeting

Motion: Schimel moved, Robertson second, to approve the minutes of January 13, 2014. Motion carried unanimously.

Update on WI Department of Justice *Treatment Alternatives and Diversion (TAD)* 2014 Grant Award & Status of Drug Court Program Enrollments

Luczaj stated the new Drug Treatment Court (DTC) case manager started work on February 10. Enrollments of individuals on the wait list resumed on March 3. The plan is to enroll four to five new participants per month into the program until the 25-participant capacity is reached.

A mandatory meeting for all TAD grantees will be held on April 3 in Madison. Luczaj will attend the meeting, accompanied by a Wisconsin Community Services (WCS) staff member, as WCS is responsible for the grant-funded DTC program's data collection.

Update on WI Department of Justice (DOJ) Medication-Assisted Treatment (MAT) Grant Extension

Luczaj stated the request for an extension of the federal grant has been approved. The DOJ medication-assisted treatment grant was scheduled to end in February 2014. The extension will run through September 30, 2014, or until the funds are depleted. This will allow continuation of treatment with Naltrexone and Vivitrol (injectable form of Naltrexone) for Drug Treatment Court participants.

Update on January 28-29, 2014 Wisconsin Evidence-Based Decision Making (EBDM) Summit and Discussion of Next Steps

Luczaj stated that a team of seven attended the two-day EBDM Summit in Madison. A follow-up meeting was held to debrief and discuss next steps to ensure that evidence-based practices are being followed within the CJCC and its programs. The following needs were identified:

- Conduct a system mapping process to identify all of the decision points within our local criminal justice system where evidence-based practices should be used. A system mapping has not been done with the CJCC since its inception in 2002, when consultant Bob Gibson assisted with the process and its documentation.
- Evaluation of Pretrial Programs – for example, are the results of the Virginia risk-assessment tool being used in an evidenced-based way? Do the court commissioners utilize the risk-assessment score when setting bail?

Following the meeting, Luczaj contacted Mimi Carter at the Center for Effective Public Policy, one of the facilitators of the summit, for direction on how to proceed. She offered the following suggestions:

- Contact the National Institute of Corrections (NIC) for short-term technical assistance, paid for by NIC
- Find a state funding stream or local resources to bring in a consultant.

Luczaj discussed an upcoming opportunity through DOJ for participation with NIC for phase IV of the EBDM initiative. DOJ will be submitting a letter, due on March 30, on behalf of Wisconsin expressing interest in launching a statewide EBDM initiative. This six-month planning phase would be non-competitive, during which NIC would work with state and county representatives to determine readiness to implement a statewide program. On October 15, competitive applications are due from states to move into phase V of the initiative. Phase V would begin in January 2015.

Schimmel questioned whether there is a consensus in Waukesha County that bail decisions are being made poorly – what needs to be fixed? Carter clarified the point is to determine whether the evidence-based practice in place is being used the way it should be. There is no criticism of the bail decisions being made by the court commissioners. Luczaj and Carter provided further clarification of the intent of an evaluation. Decker stressed the importance of the evaluation in determining both cost and time effectiveness for the future of our growing county. Robertson expressed the need to have measurable goals and objectives. As presented at the summit, recordkeeping and data are critical in establishing a baseline, achieving goals, and advancing efforts. Schimmel stated he would participate in conversations and exploration. However, he stated he is “cautious about fixing things that aren’t broken.” The court commissioners cannot be forced to set aside good judgment in lieu of the evidence-based system. Luczaj stated the tools are not meant to replace discretion in making decisions, but rather as helpful, useful guides. Schimmel recalled that at the CJCC strategic planning session, it was noted that we may not be able to afford to continue all CJCC programs and Pretrial was mentioned as one of them. Further discussion ensued.

MOTION: Decker moved, second by Robertson, to approve pursuing short term-technical assistance from NIC and move forward with participation in the state EBDM initiative through NIC. Motion carried unanimously.

Review and Discuss Day Report Center Program Enrollment Trend

Luczaj reported that the downward trend in Day Report Center enrollments was brought to her attention by Sara Carpenter of WCS. Luczaj distributed and reviewed a handout titled “Court Referrals to the Day Report Center.” The statistics show referrals have declined substantially in the last several months. Carpenter has proposed shifting a case manager to other programs (i.e. ATC/DTC) if the decline in caseload continues.

Robertson stated that perhaps a survey of court commissioners and judges could be done to determine their perception of the Day Report Center Program and whether they value it.

Schimmel stated his office does not often recommend the Day Report Center and defense attorneys do not fully understand its purpose and usefulness. Wider education for everyone would be useful.

After further discussion of possible reasons for the decline in referrals to the Day Report Center, the following suggestions were made to address the issue:

- Conduct a survey of court commissioners and judges relative to the Day Report Center
- Hold an educational forum over the lunch hour to educate attorneys about the Day Report Center as an option for their clients

Severson stated that there may be other drivers to consider. The downward trend in enrollments is consistent with the declining jail population. There is also a reduction of caseload in the courts system overall.

Robertson suggested for the future it would be desirable to have an analyst on staff to review data and report on trends and patterns, as well as other contributing factors and variables. Decker suggested an audit could be performed on any of the CJCC programs with similar results.

Carter stated he reviews monthly reports of all court case activities. He commented that there are at least four judges who are utilizing the Day Report Center as an option on a regular basis. Carter said he would be willing to meeting with Carpenter to discuss options.

Review Agenda Items for 3/26/14 CJCC Meeting

- Presentation on 2013 CJCC Program Outcomes by Sara Carpenter
- Overview of the Drug Treatment Court Subcommittee by Judge Domina
- Update on WI Department of Justice *Treatment Alternatives and Diversion (TAD) 2014* Grant Award & Status of Drug Court Program Enrollments
- Update on WI Department of Justice (DOJ) Medication-Assisted Treatment (MAT) Grant Extension
- Update on January 28-29, 2014 Wisconsin Evidence-Based Decision Making (EBDM) Summit

Next CJCC Executive Committee Meeting

- Monday, April 14, 2014 @ 8:30 AM, Room C179

The meeting adjourned at 9:33 a.m.